

REMARKS

In the Office Action dated November 7, 2006,¹ the Examiner rejected claims 1-4, 9-12, and 17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,148,205 to Cotton ("Cotton") in view of U.S. Patent No. 6,282,183 to Harris et al. ("Harris"), and further in view of U.S. Patent No. 5,875,394 to Daly et al. ("Daly"); and rejected claims 5-7 and 13-15 under 35 U.S.C. § 103(a) as being unpatentable over Cotton in view of Harris, and further in view of Daly and U.S. Patent No. 6,288,639 to Addy ("Addy").

Applicants thank the Examiner for his time during the interview of January 16, 2007. This response includes a summary of the discussion during the interview.

Upon entry of this Amendment, claims 1-7, 9-15, and 17 will remain pending and under examination.

Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-7, 9-15, and 17 under 35 U.S.C. § 103(a). A prima facie case of obviousness has not been established because, among other things, none of Cotton, Harris, Daly, and Addy, taken alone or in combination, teach or suggest each and every element of Applicants' claims.

Amended claim 1, for example, recites an authenticating method including:
"switching coverage area of two or more of said portable radio devices, prior to initiating authentication between the portable radio devices, from the first coverage area to the

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

second coverage area, the second coverage area being smaller than the first coverage area” (emphasis added).

The Examiner asserts that Cotton discloses the claimed switching in col. 5, lines 32-47. Office Action at 3. Applicants disagree. The cited portion of Cotton discloses in part: “The access device 702 upon receiving the registration response message 712 changes states from an operational state 704 to the registration state 716 . . . where the RF power level is reduced” Cotton, col. 5:33-36 (emphasis added). Cotton therefore teaches reducing power levels only after initiating registration. Cotton emphasizes this teaching in col. 3, lines 20-23, which discloses: “The CPU 206 then provides a registration signal to the RF encoder 216 signifying that registration of an access device is in progress. The RF encoder 216 notifies the controller 226 to reduce the RF transmit power level” (emphasis added). Initiating registration and then reducing power, as disclosed by Cotton, does not constitute a teaching or suggestion of “switching coverage area of two or more of said portable radio devices, prior to initiating authentication between the portable radio devices, from the first coverage area to the second coverage area, the second coverage area being smaller than the first coverage area,” as recited by amended claim 1 (emphasis added).

Harris, Daly, and Addy fail to cure the deficiencies of Cotton, nor does the Examiner rely on these references for such teachings. Independent claims 1, 3, 6, 9, 11, 14, and 17, although of different scope, patentably distinguish from the cited references for at least the same reasons as claim 1. Claims 2, 4, 5, 7, 10, 12, 13, and 15 depend from independent claims 1, 3, 6, 9, 11, 14, and 17, and therefore include all of the elements recited therein. Accordingly, no prima facie case of obviousness has

been established with respect to claims 1-5, 9-15, and 17. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejections under 35 U.S.C. § 103(a).

Should the Examiner continue to dispute the patentability of the claims after consideration of this Reply, Applicants encourage the Examiner to contact Applicants' undersigned representative by telephone to discuss any remaining issues or to resolve any misunderstandings.


In view of the foregoing remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the references cited against this application. Applicants therefore request the Examiner's reconsideration of the application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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